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FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			MENBERU, BENIYAM	
			ART UNIT	PAPER NUMBER
			2626	
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Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/924,724	MORI ET AL.
	Examiner	Art Unit
	Beniyam Menberu	2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 15 April 2005.  
 2a) This action is **FINAL**.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-50 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-50 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 09 August 2001 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
 Paper No(s)/Mail Date 6/2/05, 4/15/05.

4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_.  
 5) Notice of Informal Patent Application (PTO-152)  
 6) Other: \_\_\_\_\_.

***Response to Arguments***

1. Applicant's arguments, see pages 24-29, filed on April 15, 2005, with respect to the rejections of claims 1, 11, and 21 under U.S. Patent No. 6661530 to Munetomo et al in view of U.S. Patent No. 5923013 to Suzuki et al claims 31, 36, 41, and 46 under U.S. Patent No. 6661530 to Munetomo et al in view of U.S. Patent No. 5847848 to Suzuki et al have been fully considered and are not persuasive. Based on the amendment filed on April 15, 2005, a new ground(s) of rejection is made in view of U.S. Patent No. 6094552 to Haneda et al. Therefore, this action is made final.

***Claim Objections***

2. Claim 39 is missing.

***Drawings***

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: reference 16 in Figure 1. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office

action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1, 11, and 21 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6661530 to Munetomo et al.

Regarding claims 1, 11, and 21, Munetomo et al disclose an information processing apparatus, method, and program (column 8, lines 5-15) that creates print job

to be printed by a printing apparatus having an inversion process function (column 29, lines 4-8), comprising:

intermediate data converting means for converting print data created by an application to an intermediate code format data and storing said converted intermediate code format data and processing conditions of said print data (column 8, lines 43-46; column 9, lines 20-24, lines 31-32, lines 28-30);

detection means for analyzing the processing conditions and detecting a setting of the inversion process function to be executed by the printing apparatus (column 4, lines 33-37; column 29, lines 1-8);

preview display controlling means for displaying a preview image of the print processing result in advance based on the print data stored by said intermediate data converting means and processing conditions (column 8, lines 65-67, lines 55-59; column 9, lines 1-7); and

job creation means for creating the print job based on the intermediate code format data stored by said intermediate data converting means (column 10, lines 22-36; Munetomo et al disclose the creation of a print job by the execution of a print start command by a user.);

wherein said preview display controlling means displays the preview image reflecting the inversion process to be executed by the printing apparatus (column 29, lines 1-9), and said job creation means creates the print job on which the inversion process has been not executed, in a case where said detection means detects the setting of the inversion process function (column 29, lines 10-21; column 9, lines 31-38; Munetomo et

al process the inversion on the preview from the print data stored in the printer driver. The printer data from the driver stores print jobs, thus the inversion is not executed on the print job.).

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 2, 3, 4, 6, 10, 12, 13, 14, 16, 20, 22, 23, 24, 26, and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6661530 to Munetomo et al in view of U.S. Patent No. 5923013 to Suzuki et al.

Regarding claims 2, 12, and 22, Munetomo et al teach all the limitations of claims 1, 11, and 21 respectively. Further Munetomo et al disclose the information processing apparatus, method, and program, further comprising editing means for editing the data stored and converted to an intermediate code format by said intermediate data converting means or processing conditions of said print data (Munetomo et al : column 9, lines 65-67; column 10, lines 1-18); and

data creating means for creating print data and processing conditions that implement print processing different from the print data created by said application based on the data edited by said editing means (Munetomo et al : column 10, lines 19-25; Since the application updates the setting this implies that the print processing is different from that created by application.). However Munetomo et al does not disclose wherein when a plurality of intermediate code format print data is stored, said editing means combines said plurality of intermediate code format print data into a single combined job.

Suzuki et al disclose wherein when a plurality of intermediate code format print data is stored, said editing means combines said plurality of intermediate code format print data into a single combined job (column 25, lines 27-29).

Munetomo et al and Suzuki et al are combinable because they are in the similar problem area of print data processing.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the editing and data creating means taught by Suzuki et al with the print processing apparatus system taught by Munetomo et al to implement a flexible print data generation system.

The motivation to combine the reference is clear because it will be convenient to have a way of editing or changing print data before performing the printing.

Regarding claims 3, 13, and 23, Munetomo et al teach all the limitations of claims 1, 11, and 21 respectively. Further Munetomo et al disclose the information processing apparatus, method, and program, wherein said preview display controlling means acquires layout information from said stored intermediate code format data and

previews said print processing result based on said layout information (column 24, lines 39-46).

Regarding claims 4, 14, and 24, Munetomo et al in view of Suzuki et al teach all the limitations of claims 2, 12, and 22 respectively. Further Munetomo et al disclose the information processing apparatus, method, and program, wherein when a mirroring condition is specified for said stored intermediate code format data, said preview display controlling means makes it possible to preview the data in a mirrored display format based on the editing result from said editing means (Figure 62; column 29, lines 29-35).

Regarding claims 6, 16, and 26, Munetomo et al in view of Suzuki et al teach all the limitations of claims 2, 12, and 22 respectively. Further Suzuki et al disclose the information processing apparatus, method, and program, wherein when said editing means combines a plurality of jobs, said preview display controlling means makes it possible to present a preview in a display format in which said combined job is displayed as a single job (column 16, lines 13-22; column 9, lines 46-56).

Regarding claims 10, 20, and 30, Munetomo et al in view of Suzuki et al teach all the limitations of claims 2, 12, and 22 respectively. Further Munetomo et al in view of Suzuki et al disclose the information processing apparatus, method, and program, wherein in the processing of combining the print data by said editing means, the stored data is identified based on identification information obtained by adding an ID to identify the stored data to the logical page ID of said stored data (Suzuki et al: column 4, lines 51-60).

8. Claims 5, 15, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6661530 to Munetomo et al in view of U.S. Patent No. 5923013 to Suzuki et al further in view of U.S. Patent No. 5864634 to Kurita.

Regarding claims 5, 15, and 25, Munetomo et al in view of Suzuki et al teach all the limitations of claims 2, 12, and 22 respectively. However Munetomo et al in view of Suzuki et al does not disclose the information processing apparatus, method, and program, wherein when color inversion is specified for said stored intermediate code format data, said preview display controlling means makes it possible to preview the data in a color-inverted display format based on the editing result from said editing means.

Kurita discloses an apparatus, method, and program wherein color inversion is specified for said stored intermediate code format data, said preview display controlling means makes it possible to preview the data in a color-inverted display format based on the editing result from said editing means (column 6, lines 59-62, lines 66-67; column 7, lines 1-4, lines 8-13).

Munetomo et al, Suzuki et al, and Kurita are combinable because they are in the similar problem area of print data processing.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the color inversion taught by Kurita with the print data processing system of Munetomo et al in view of Suzuki et al to implement color inverted print preview system.

The motivation to combine the reference is clear because a user may prefer to print data using color inverted format so it would be convenient to have a preview of color inverted print data.

9. Claims 7, 17, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6661530 to Munetomo et al in view of U.S. Patent No. 5923013 to Suzuki et al further in view of U.S. Patent No. 6788427 to Okigami.

Regarding claims 7, 17, and 27, Munetomo et al in view of Suzuki et al teach all the limitations of claims 2, 12, and 22 respectively. However, Munetomo et al in view of Suzuki et al does not disclose the information processing apparatus, method, and program comprising print data controlling means for judging whether the print data is created by said application or by said data creating means and controlling the output destination of the print data.

Okigami discloses a print data controlling means for judging whether the print data is created by said application or by said data creating means and controlling the output destination of the print data (Okigami discloses a print data controller that compares new print data generated with print data spooled and determines the outputting of the new print data based on this comparison (column 6, lines 59-67; column 3, lines 31-41).

Munetomo et al, Suzuki et al, and Okigami are combinable because they are in the similar problem area of print data processing

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the print data discrimination system taught by Okigami with

the print data processing system of Munetomo et al in view of Suzuki et al to implement an efficient printing system.

The motivation to combine the reference is clear because Okigami teaches that the print data controlling method can be used to determine if duplicate print request has been issued thus saving print processing time (column 2, lines 23-35).

10. Claims 8, 18, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6661530 to Munetomo et al in view of U.S. Patent No. 6804018 to Mochizuki.

Regarding claims 8, 18, and 28, Munetomo et al teach all the limitations of claims 1, 11, and 21 respectively. However Munetomo et al does not disclose the information processing apparatus, method, and program, wherein said print data controlling means releases the occupation of the application after said intermediate data converting means stores the converted data.

Mochizuki discloses information processing apparatus, wherein said print data controlling means releases the occupation of the application after said intermediate data converting means stores the converted data (Mochizuki discloses a print system wherein the completion of print data conversion triggers a release of an application (column 9, lines 24-33). Since Munetomo et al disclose of storing converted data, the teachings of Mochizuki can be applied to release application after storing of converted data as taught by Munetomo et al.).

Munetomo et al and Mochizuki are combinable because they are in the similar problem area of print data processing.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the application releasing method taught by Mochizuki with the print data processing system of Munetomo et al to implement an efficient print data processing system.

The motivation to combine the reference is clear because processing resources can be saved by releasing an application after print data processing is complete.

11. Claims 9, 19, and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6661530 to Munetomo et al in view of U.S. Patent No. 5847848 to Suzuki et al.

Regarding claims 9, 19, and 29, Munetomo et al teach all the limitations of claims 1, 11, and 21 respectively. Further Munetomo et al disclose the information processing apparatus, method, and program, wherein said intermediate code format data converted by said intermediate data converting means is data that can be edited in accordance with expansion, contraction, and layout display (Munetomo et al: column 28, lines 30-39; column 24, lines 39-46). However Munetomo et al does not disclose editing in accordance with mirroring and color inversion.

Suzuki et al (U.S. Patent No. 5847848) disclose information processing apparatus, method, and program wherein editing in accordance to mirroring (column 6, lines 7-18) and color inversion (column 4, lines 5-23) is performed.

Munetomo et al and Suzuki et al (U.S. Patent No. 5847848) are combinable because they are in the similar problem area of print data processing.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the mirroring and color inversion editing method taught by Suzuki et al (U.S. Patent No. 5847848) with the print data processing system of Munetomo et al to implement a practical previewing system for printing.

The motivation to combine the reference is clear because mirroring and color inversion provides a user with more flexible printing options.

12. Claims 31, 36, 41, and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6661530 to Munetomo et al in view of U.S. Patent No. 6094552 to Haneda et al.

Regarding claims 31, 36, 41, and 46, Munetomo et al disclose an information processing apparatus, method, and program (column 8, lines 5-15) that creates print data, comprising:

spooling means for storing print data created by an application(column 9, lines 20-24, lines 31-32, lines 28-30);

determining means for determining whether mirroring or color inversion is specified as the print setting for said print data(column 29, lines 10-20., column 29, lines 29-35);

preview display controlling means for, when said determining means determines that mirroring or color inversion is specified, creating mirrored or color-inverted display data based on the print data stored in said spooling means and presenting a preview (column 12, lines 45-51);

wherein in a case where the mirroring is specified as the print setting for said print data and a binding margin is specified (column 26, lines 60-67; column 29, lines 1-9).

However Munetomo et al does not disclose adjusting the binding margin setting, and wherein the binding margin is kept to the same side before and after adjusting the binding margin setting.

Haneda et al disclose adjusting the binding margin setting, and wherein the binding margin is kept to the same side before and after adjusting the binding margin setting (Figure 2, No. 2; column 7, lines 47-57; column 10, lines 46-56).

Munetomo et al and Haneda et al are combinable because they are in the similar problem area of print data processing.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the binding margin setting of Haneda et al with the print data processing system of Munetomo et al to implement binding margin with inversion printing.

The motivation to combine the reference is clear because Haneda et al provides for flexibility in the placement of binding margin depending on the print mode (column 10, lines 56-67; column 11, lines 1-15).

13. Claims 32, 33, 37, 38, 42, 43, 47, and 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6661530 to Munetomo et al in view of U.S. Patent No. 6094552 to Haneda et al further in view of U.S. Patent No. 6101513 to Shakib et al.

Regarding claims 32, 37, 42, and 47, Munetomo et al in view of Haneda et al teach all the limitations of claims 31, 36, 41, and 46 respectively. However Munetomo et al in view of Haneda et al does not disclose the information processing apparatus, method, and program, wherein when mirroring is specified as the print setting for said print data and a binding margin is also set, said preview display controlling means creates mirrored display data after adjusting the binding margin setting.

Shakib et al disclose an apparatus, method, and program wherein when mirroring is specified as the print setting for said print data and a binding margin is also set, said preview display controlling means creates mirrored display data after adjusting the binding margin setting (column 4, lines 39-41; column 16, lines 6-17).

Munetomo et al, Haneda et al, and Shakib et al are combinable because they are in the similar problem area of print data processing.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the mirroring with binding margin adjustment taught by Shakib et al with the print data processing system of Munetomo et al in view of Haneda et al to implement a flexible binding margin setting.

The motivation to combine the reference is clear because Shakib et al teaches that when duplex printing is set the margins have to be adjusted (column 16, lines 14-17).

Regarding claims 33, 38, 43, and 48, Munetomo et al in view of Haneda et al teach all the limitations of claims 31, 38, 41, and 46 respectively. Further Shakib et al disclose the information processing apparatus, method, and program, further

comprising binding margin determining means for determining whether the binding margin setting should be adjusted or not when mirroring is specified as the print setting for said print data and a binding margin is also set, wherein when said binding margin determining means determines that the binding margin setting should be adjusted, said preview display controlling means creates mirrored display data after adjusting the binding margin setting(column 4, lines 39-41; column 16, lines 6-17).

14. Claims 34, 35, 39, 40, 44, 45, 49, and 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6661530 to Munetomo et al in view of U.S. Patent No. 6094552 to Haneda et al further in view of U.S. Patent No. 5995985 to Cai.

Regarding claims 34, 39, 44, and 49, Munetomo et al in view of Haneda et al teach all the limitations of claims 31, 36, 41, and 46 respectively. However Munetomo et al in view of Haneda et al does not disclose the information processing apparatus and program, wherein when mirroring is specified as the print setting for said print data and a Nup setting for placing N logical pages on one physical page is made, said preview display controlling means creates mirrored display data after adjusting the Nup page order.

Cai discloses information processing apparatus, method, and program, wherein when mirroring is specified as the print setting for said print data (Figure 8; column 10, lines 1-5) and a Nup setting for placing N logical pages on one physical page is made (column 9, lines 63-65; column 10, lines 16-22), said preview display (column 5, lines

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60-62) controlling means creates mirrored display data after adjusting the Nup page order (column 10, line 3-5, lines 55-58).

Munetomo et al, Haneda et al, and Cai are combinable because they are in the similar problem area of print data processing.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the multiple-page and mirroring method taught by Cai with the print data processing system of Munetomo et al in view of Haneda et al to implement a print system with multiple-page layout with mirroring option.

The motivation to combine the reference is clear because if a user required printing with multiple-page (Nup) and mirroring Cai provides for this print option with a preview capability.

Regarding claims 35, 40, 45, and 50, Munetomo et al in view of Haneda et al teach all the limitations of claims 31, 36, 41, and 46 respectively. Further Cai discloses the information processing apparatus, method, and program, further comprising Nup page order determining means for determining whether the Nup page order should be adjusted or not when mirroring is specified as the print setting for said print data (column 10, line 3-5, lines 55-58) and a Nup setting for placing N logical pages on one physical page is made (column 9, lines 63-65; column 10, lines 16-22), wherein when said Nup page order determining means determines that the Nup page order should be adjusted, said preview display controlling means creates mirrored display data after adjusting the Nup page order(column 10, line 3-5, lines 55-58).

***Other Prior Art Cited***

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent No. 6141120 to Falk discloses printer calibration method.

U.S. Patent No. 4648047 to Berkland et al disclose word processing program.

U.S. Patent No. 5018080 to Inoue disclose a printer.

U.S. Patent No. 5839033 to Takahashi et al disclose binding margin setting apparatus and method.

U.S. Patent No. 4763167 to Watanabe et al disclose image forming apparatus.

U.S. Patent No. 5006890 to Ishida et al disclose image forming apparatus.

***Conclusion***

16. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Beniyam Menberu whose telephone number is (571) 272-7465. The examiner can normally be reached on 8:00AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams can be reached on (571) 272-7471. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the customer service office whose telephone number is (571) 272-2600. The group receptionist number for TC 2600 is (571) 272-2600.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov/>.

Should you have questions on access to the Private PAIR system, contact the  
Electronic Business Center (EBC) at 866-217-9197 (toll-free).

***Patent Examiner***

Beniyam Menberu

BM

07/24/2005

KA Williams

KIMBERLY WILLIAMS  
SUPERVISORY PATENT EXAMINER